



INTERIOR BOARD OF INDIAN APPEALS

Forest Villa Joint Venture v. Assistant Secretary - Indian Affairs

14 IBIA 153 (07/03/1986)

Related Board cases:

4 IBIA 255

Reconsideration denied, 5 IBIA 9

9 IBIA 158

24 IBIA 233



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
4015 WILSON BOULEVARD
ARLINGTON, VA 22203

FOREST VILLA JOINT VENTURE,
Appellant

v.

ASSISTANT SECRETARY FOR
INDIAN AFFAIRS,
Appellee

: Order Docketing and Dismissing
: Appeal
:
:
: Docket No. IBIA 86-47-A
:
:
: July 3, 1986

On June 30, 1986, the Board of Indian Appeals (Board) received a notice of appeal from Forest Villa Joint Venture (appellant). Appellant seeks review of an April 28, 1986, decision of the Assistant Secretary for Indian Affairs concerning an adjustment of the rental on Lease No. 4388, Muckleshoot 7. The Assistant Secretary's decision affirms an increase in the annual rental rate from \$17,101 to \$48,030. The decision concludes: "This decision is final for the Department."

The appeal is docketed under the above case name and number which should be cited in all future correspondence or inquiries regarding the matter.

A copy of the April 28, 1986, decision was attached to the notice of appeal. The decision was signed by the Assistant Secretary for Indian Affairs and states that it is final for the Department. Because the Assistant Secretary has the authority to issue decisions final for the Department, the Board does not have general review authority over his decisions, except as they are specially referred to it on a case-by-case basis or through rulemaking. See, e.g., Pueblo of Laguna v. Assistant Secretary for Indian Affairs, 12 IBIA 80, 90 I.D. 521 (1983); 25 CFR 13.14. This matter has not been so referred to the Board.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, this appeal from the Assistant Secretary's April 28, 1986, decision must be dismissed.

//original signed

Anita Vogt
Administrative Judge

//original signed

Jerry Muskrat
Administrative Judge